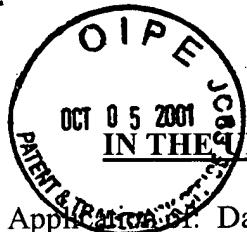


Attorney Docket No. 368B



In re Application of: David C. Mitchell, et al.)
Serial No.: 09/844,827) Group Art Unit: Unassigned
Filed: April 27, 2001) Examiner: Unassigned
For: METHOD OF TENSIONING A FIBER)
OPTIC CABLE)

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION**

In response to the communication of July 16, 2001, the period for response to which has been extended through October 16, 2001, by a Petition for Extension of Time and fee payment filed contemporaneously herewith, Applicants submit a Declaration/Power of Attorney for filing in the above-identified application, and a copy of the Notice of Missing Parts. Authorization is hereby granted to charge the abandonment, late filing fee or oath or declaration surcharge of \$130.00 to our Deposit Account No. 50-0308. A copy of this Response is submitted herewith.

Please associate the enclosed declaration with the above-identified application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account. If a fee is required for an extension of time under 37 C.F.R. §

1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

By:


Michael R. Cammarata
Reg. No. 39,491

CIENA Corporation
Legal Department
1201 Winterson Road
Linthicum, MD 21090
(410) 865-8500



#3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/844,827	04/27/2001	David C. Mitchell	368B

CONFIRMATION NO. 2535

FORMALITIES LETTER



OC000000006299916

CIENA Corporation
Legal Department
1201 Winterson Rd.
Linthicum, MD 21090

Date Mailed: 07/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

MT3
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. 368B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David C. Mitchell, et al.)
Serial No.: 09/844,827) Group Art Unit: Unassigned
Filed: April 27, 2001) Examiner: Unassigned
For: METHOD FOR TENSIONING AND)
POSITIONING A FIBER OPTIC CABLE)

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

TRANSMITTAL LETTER

Applicant encloses the following documents in response to the Notice To File Missing Parts Of Application dated July 16, 2001:

1. Response To Notice To File Missing Parts Of Application
2. Petition for Extension of Time (in duplicate, with authorization to charge \$110.00 our Deposit Account);
3. Form PTO-1533;
4. Executed Declaration and Power of Attorney;
5. Assignment to CIENA Corporation; and
6. Recordation cover sheet (in duplicate, with authorization to charge our Deposit Account).

Certification Under 37 C.F.R. Section 1.10

I hereby certify that this Transmittal Letter and the documents referred to as enclosed therein is being deposited with the United States Postal Service on this 5th day of October, 2001 in an envelope marked as "Express Mail Post Office to Addressee" Mail Label Number EL869632635US addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Carol S. Parker-Hines
(type or print name of person mailing paper)
(signature of person mailing paper)

Please charge the abandonment, late filing fee or oath or declaration surcharge of \$130.00 for a non-small entity on the attached Form PTO-1533 and the one-month extension fee of \$110.00 to our Deposit Account No. 50-0308.

If there are any other fees due in connection with the filing of this response, please charge such fees to our deposit account. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

By:


Michael R. Cammarata
Reg. No. 39,491

Dated: October 5, 2001

CIENA Corporation
Legal Department
1201 Winterson Road
Linthicum, MD 21090
(410) 865-8500